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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,258	02/12/2002	Dror Koren	50325-0608	8583
29989	7590	11/02/2006	EXAMINER DUONG, DUC T	
HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			ART UNIT 2616	
PAPER NUMBER				

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/076,258	Applicant(s) KOREN ET AL.	
	Examiner Duc T. Duong	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-19, 21-25, 27-31, and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohaban et al (US Patent 6,718,380 B1) in view of Banginwar (US Patent 6,611,863 B1).

Regarding to claims 15, 21, 27, and 33, Mohaban discloses an apparatus 210 for automatically deploying a quality of service (QoS) policy to a plurality of network devices 212-214 in a packet telephony network 200 based on a QoS policy template fig. 2-3), comprising means 884 for receiving device QoS information (fig. 8E col. 27 lines 16-22); means 880 for creating and storing one or more QoS policy templates in a database, wherein each of the one or more QoS policy templates indicates one or more QoS policies that associate QoS tools with network device traffic flows (fig. 8E col. 27 lines 1-7); and based on the device QoS information, means 886 for determining one or more QoS policy for deployment to each of said plurality of network devices 212-214 (fig. 8E col. 27 lines 23-28).

Mohaban fails to teach for receiving device information that defines authentication and location information of each of said plurality of network devices and

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interface information defining one or more interfaces associated with each of said plurality of network devices.

However, Banginwar discloses a system for sending policies from a policy server 112 to a plurality of network devices 116A (fig. 1), comprising a discovery device 114 for receiving device information that defines authentication (noted the securities and VPN policies have authentication capability) and location information (IP address range) of each of said plurality of network devices (fig. 2 col. 4 lines 33-36) and interface information (type or model or manufacturer or specific protocol) defining one or more interfaces associated with each of said plurality of network devices (fig. 2 col. 4 lines 22-31).

Thus, it would have been obvious to a person of ordinary skill in the art to employ such device information and interface information as taught by Banginwar in Mohaban's system to allow the administrator to control the operation of a wide variety of devices.

Regarding to claims 16, 22, 28, and 34, Mohaban discloses all the limitation with respect to claims 15, 21, 27, and 33, except for executing an SNMP, or telnet query. However, Banginwar discloses for executing an SNMP or telnet (col. 4 lines 22-27). Thus, it would have been obvious to a person of ordinary skill in the art to employ such query as taught by Banginwar in Mohaban's system since these queries are well known in the art to be used to obtain device information.

Regarding to claims 17, 23, 29, and 35, Mohaban discloses creating and storing a filter for a QoS policy (col. 22 lines 50-57).

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Regarding to claims 18, 24, 30, and 36, Mohaban discloses defining an action for said QoS policy (col. 22 lines 50-57).

Regarding to claims 19, 25, 31, and 37, Mohaban discloses the one or more QoS policy templates are stored in a centralized, network-wide policy database or another storage device 216 (fig. 2 col. 9 lines 2-8).

3. Claims 20, 26, 32, and 38 rejected under 35 U.S.C. 103(a) as being unpatentable over Mohaban and Banginwar in view of Zavalkovsky et al (US Patent 6,959,332 B1).

Regarding to claims 20, 26, 32, and 38, Mohaban and Banginwar disclose all the limitations with respect to claims 15, 21, 27 and 33, except for generating a list of command line interface ("CLI") commands that correspond to properties for each network device; and sending said list of CLI commands to each network device to be implemented. However, Zavalkovsky discloses a system and method of deploying a quality of service (QoS) template in a packet telephony network comprising generating a first list of command line interface (CLI) commands that correspond to properties for each device (fig. 3B-C col. 7 lines 34-67), sending said block of CLI commands to each device to be implemented (fig. 3E col. 8 lines 42-67). Thus, it would have been obvious to a person of ordinary skill in the art to employ such CLI commands as taught by Zavalkovsky in Mohaban and Banginwar's system for a way to represent QoS policies in an abstract manner.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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DD

A handwritten signature in black ink, appearing to read 'Huy D. Vu', with a long horizontal line extending to the right.

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600